

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

POST FOODS, LLC,

No.: 0:23-cv-00110-JWB-TNL

Plaintiff,

v.

OK GO PARTNERSHIP, DAMIAN J.
KULASH, JR., TIMOTHY J. NORDWIND,
DANIEL M. KONOPKA, AND ANDREW B.
ROSS,

**UNCONTESTED MOTION
FOR EXTENSION OF TIME
TO FILE RESPONSIVE
PLEADING**

Defendants.

On January 13, 2023, Plaintiff Post Foods, LLC (“Plaintiff”) served its Summons and Complaint upon Defendant Daniel Konopka. On January 17, 2023, Plaintiff served its Summons and Complaint upon Defendant OK Go Partnership. The remaining Defendants Damian J. Kulash, Jr., Timothy J. Nordwind, and Andrew B. Ross were not personally served.

Upon agreement by the Parties, on January 25, 2023, Defendants’ counsel agreed to accept service on behalf of the remaining Defendants Damian J. Kulash, Jr., Timothy J. Nordwind, and Andrew B. Ross. Pursuant to Rule 12 of the Federal Rules of Civil Procedure, Defendants’ responsive pleading deadlines fall on different dates between February 3, 2023 and February 15, 2023. Fed. R. Civ. P. 12(a).

Defendants respectfully request that the Court grant an extension to those Defendants who had previously been served, and move the deadline to answer or file a responsive pleading under Federal Rule of Civil Procedure 12(b) for all Defendants jointly

to **February 15, 2023**. Plaintiff has stipulated to this request for an extension and does not contest this motion.

Dated: January 25, 2023

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